

AMENDED IN SENATE MARCH 18, 2014

SENATE BILL

No. 996

Introduced by Senator Evans

(~~Coauthor: Senator Wyland~~ Coauthors: Senators Wyland and Yee)

February 12, 2014

An act to ~~amend Section 10609.4~~ *repeal and add Section 391* of the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

SB 996, as amended, Evans. Juveniles: ~~Independent Living Program.~~
dependent children: documents.

Existing law establishes the jurisdiction of the juvenile court, which is permitted to adjudge certain children to be dependents of the court under certain circumstances, and prescribes various hearings and other procedures for these purposes. Existing law prohibits the court from terminating dependency jurisdiction over a nonminor who has reached 18 years of age until a hearing is conducted and the county welfare department has submitted a report verifying that specified information, documents, and services have been provided to the child.

This bill would revise and recast these provisions to, among other things, require the county welfare department to submit reports at the first regularly scheduled review hearing after a dependent child has attained 16 years of age and at the last regularly scheduled review hearing before a minor attains 18 years of age, and at every regularly scheduled review hearing thereafter, verifying that the county has provided certain of the above-described information, documents, and services to the child. By increasing the reporting duties of county welfare departments, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

~~Existing law requires the State Department of Social Services to develop statewide standards for the Independent Living Program for emancipated foster youth and eligible former dependent children of the juvenile court established and funded pursuant to federal law, to assist those individuals in making the transition to self-sufficiency. Existing law requires, consistent with federal law and reporting requirements, each county department of social services to submit to the State Department of Social Services an annual Independent Living Program report, which is required to include, among other things, an accounting of federal and state funds expended for implementation of the program. Existing law requires that expenditures be related to the specific purposes of the program. Under existing law, authorized program purposes may include, among other things, providing training in daily living skills, budgeting, locating and maintaining housing, and career planning.~~

~~This bill would specify that providing financial literacy training, including, but not limited to, banking, credit card interest rates, credit scores, the importance of savings, and the effects financial decisions can have on a youth's future, is also an authorized purpose.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 391 of the Welfare and Institutions Code
- 2 is repealed.
- 3 391. (a) ~~The dependency court shall not terminate jurisdiction~~
- 4 ~~over a nonminor unless a hearing is conducted pursuant to this~~
- 5 ~~section.~~
- 6 (b) ~~At any hearing for a nonminor at which the court is~~
- 7 ~~considering termination of the jurisdiction of the juvenile court,~~
- 8 ~~the county welfare department shall do all of the following:~~

1 ~~(1) Ensure that the dependent nonminor is present in court,~~
2 ~~unless the nonminor does not wish to appear in court, and elects~~
3 ~~a telephonic appearance, or document reasonable efforts made by~~
4 ~~the county welfare department to locate the nonminor when the~~
5 ~~nonminor is not available.~~

6 ~~(2) Submit a report describing whether it is in the nonminor's~~
7 ~~best interests to remain under the court's dependency jurisdiction,~~
8 ~~which includes a recommended transitional independent living~~
9 ~~case plan for the nonminor when the report describes continuing~~
10 ~~dependency jurisdiction as being in the nonminor's best interest.~~

11 ~~(3) If the county welfare department recommends termination~~
12 ~~of the court's dependency jurisdiction, submit documentation of~~
13 ~~the reasonable efforts made by the department to provide the~~
14 ~~nonminor with the assistance needed to meet or maintain eligibility~~
15 ~~as a nonminor dependent, as defined in paragraphs (1) to (5),~~
16 ~~inclusive, of subdivision (b) of Section 11403.~~

17 ~~(4) If the nonminor has indicated that he or she does not want~~
18 ~~dependency jurisdiction to continue, the report shall address the~~
19 ~~manner in which the nonminor was advised of his or her options,~~
20 ~~including the benefits of remaining in foster care, and of his or her~~
21 ~~right to reenter foster care and to file a petition pursuant to~~
22 ~~subdivision (e) of Section 388 to resume dependency jurisdiction~~
23 ~~prior to attaining 21 years of age.~~

24 ~~(e) (1) The court shall continue dependency jurisdiction over~~
25 ~~a nonminor who meets the definition of a nonminor dependent as~~
26 ~~described in subdivision (v) of Section 11400 unless the court finds~~
27 ~~either of the following:~~

28 ~~(A) That the nonminor does not wish to remain subject to~~
29 ~~dependency jurisdiction.~~

30 ~~(B) That the nonminor is not participating in a reasonable and~~
31 ~~appropriate transitional independent living case plan.~~

32 ~~(2) In making the findings pursuant to paragraph (1), the court~~
33 ~~must also find that the nonminor has been informed of his or her~~
34 ~~options including the benefits of remaining in foster care and the~~
35 ~~right to reenter foster care by filing a petition pursuant to~~
36 ~~subdivision (e) of Section 388 to resume dependency jurisdiction~~
37 ~~and by completing a voluntary reentry agreement pursuant to~~
38 ~~subdivision (z) of Section 11400, and has had an opportunity to~~
39 ~~confer with his or her counsel if counsel has been appointed~~
40 ~~pursuant to Section 317.~~

~~(d) (1) The court may terminate its jurisdiction over a nonminor if the court finds after reasonable and documented efforts the nonminor cannot be located.~~

~~(2) When terminating dependency jurisdiction the court shall maintain general jurisdiction over the nonminor to allow for the filing of a petition to resume dependency jurisdiction under subdivision (e) of Section 388 until the nonminor attains 21 years of age, although no review proceedings shall be required. A nonminor may petition the court pursuant to subdivision (e) of Section 388 to resume dependency jurisdiction at any time before attaining 21 years of age.~~

~~(e) The court shall not terminate dependency jurisdiction over a nonminor who has attained 18 years of age until a hearing is conducted pursuant to this section and the department has submitted a report verifying that the following information, documents, and services have been provided to the nonminor, or in the case of a nonminor who, after reasonable efforts by the county welfare department, cannot be located, verifying the efforts made to make the following available to the nonminor:~~

~~(1) Written information concerning the nonminor's case, including any known information regarding the nonminor's Indian heritage or tribal connections, if applicable, his or her family history and placement history, any photographs of the nonminor or his or her family in the possession of the county welfare department, other than forensic photographs, the whereabouts of any siblings under the jurisdiction of the juvenile court, unless the court determines that sibling contact would jeopardize the safety or welfare of the sibling, directions on how to access the documents the nonminor is entitled to inspect under Section 827, and the date on which the jurisdiction of the juvenile court would be terminated.~~

~~(2) The following documents:~~

~~(A) Social security card.~~

~~(B) Certified copy of his or her birth certificate.~~

~~(C) Health and education summary, as described in subdivision (a) of Section 16010.~~

~~(D) Driver's license, as described in Section 12500 of the Vehicle Code, or identification card, as described in Section 13000 of the Vehicle Code.~~

~~(E) A letter prepared by the county welfare department that includes the following information:~~

- 1 ~~(i) The nonminor's name and date of birth.~~
- 2 ~~(ii) The dates during which the nonminor was within the~~
- 3 ~~jurisdiction of the juvenile court.~~
- 4 ~~(iii) A statement that the nonminor was a foster youth in~~
- 5 ~~compliance with state and federal financial aid documentation~~
- 6 ~~requirements.~~
- 7 ~~(F) If applicable, the death certificate of the parent or parents.~~
- 8 ~~(G) If applicable, proof of the nonminor's citizenship or legal~~
- 9 ~~residence.~~
- 10 ~~(H) An advance health care directive form.~~
- 11 ~~(I) The Judicial Council form that the nonminor would use to~~
- 12 ~~file a petition pursuant to subdivision (e) of Section 388 to resume~~
- 13 ~~dependency jurisdiction.~~
- 14 ~~(J) The written 90-day transition plan prepared pursuant to~~
- 15 ~~Section 16501.1.~~
- 16 ~~(3) Assistance in completing an application for Medi-Cal or~~
- 17 ~~assistance in obtaining other health insurance.~~
- 18 ~~(4) Referrals to transitional housing, if available, or assistance~~
- 19 ~~in securing other housing.~~
- 20 ~~(5) Assistance in obtaining employment or other financial~~
- 21 ~~support.~~
- 22 ~~(6) Assistance in applying for admission to college or to a~~
- 23 ~~vocational training program or other educational institution and~~
- 24 ~~in obtaining financial aid, where appropriate.~~
- 25 ~~(7) Assistance in maintaining relationships with individuals~~
- 26 ~~who are important to a nonminor who has been in out-of-home~~
- 27 ~~placement for six months or longer from the date the nonminor~~
- 28 ~~entered foster care, based on the nonminor's best interests.~~
- 29 ~~(8) For nonminors between 18 and 21 years of age, assistance~~
- 30 ~~in accessing the Independent Living Aftercare Program in the~~
- 31 ~~nonminor's county of residence, and, upon the nonminor's request,~~
- 32 ~~assistance in completing a voluntary reentry agreement for care~~
- 33 ~~and placement pursuant to subdivision (z) of Section 11400 and~~
- 34 ~~in filing a petition pursuant to subdivision (e) of Section 388 to~~
- 35 ~~resume dependency jurisdiction.~~
- 36 ~~(9) Written information notifying the child that current or former~~
- 37 ~~dependent children who are or have been in foster care are granted~~
- 38 ~~a preference for student assistant or internship positions with state~~
- 39 ~~agencies pursuant to Section 18220 of the Government Code. The~~
- 40 ~~preference shall be granted to applicants up to 26 years of age.~~

~~(f) At the hearing closest to and before a dependent minor's 18th birthday and every review hearing thereafter for nonminors, the department shall submit a report describing efforts toward completing the items described in paragraph (2) of subdivision (e).~~

~~(g) The Judicial Council shall develop and implement standards, and develop and adopt appropriate forms necessary to implement this provision.~~

~~(h) This section shall become operative on January 1, 2012.~~

SEC. 2. Section 391 is added to the Welfare and Institutions Code, to read:

391. (a) (1) At the first regularly scheduled review hearing held pursuant to subdivision (d) of Section 366.3 after a dependent child has attained 16 years of age, the county welfare department shall submit a report verifying that the following information, documents, and services have been provided to the child:

(A) Social security card, if provided to the child pursuant to paragraph (2).

(B) Copy of the birth certificate.

(C) Driver's license, as described in Section 12500 of the Vehicle Code, or identification card, as described in Section 13000 of the Vehicle Code.

(D) Assistance in obtaining employment, if applicable.

(E) Assistance in applying for, or preparing to apply for, admission to college or to a vocational training program or other educational institution and in obtaining financial aid, where applicable.

(F) Written information notifying the child that current or former dependent children who are or have been in foster care are granted a preference for student assistant or internship positions with state agencies pursuant to Section 18220 of the Government Code until he or she attains 26 years of age.

(G) Written information notifying the child of any financial literacy programs or other available resources provided through the county or other community organizations to help the youth obtain financial literacy skills, including, but not limited to, banking, credit card debt, student loan debt, credit scores, credit history, and personal savings.

1 (2) *Except as required by subdivision (b), the child's social*
2 *security card may only be provided temporarily to the dependent*
3 *child for the following purposes:*

- 4 (A) *To enable the child to obtain employment.*
5 (B) *To apply for admission to an institution of postsecondary*
6 *education or a vocational training program.*
7 (C) *To apply for financial aid.*
8 (D) *To apply for or access public benefits.*
9 (E) *As otherwise determined by the child's caseworker,*
10 *including, but not limited to, in response to a request from the*
11 *child.*

12 (3) *For purposes of this subdivision, a certified copy of the*
13 *dependent child's birth certificate shall be provided upon request*
14 *of the child.*

15 (b) *At the last regularly scheduled review hearing held pursuant*
16 *to subdivision (d) of Section 366.3 before a dependent child attains*
17 *18 years of age, and at every regularly scheduled review hearing*
18 *thereafter, the county welfare department shall submit a report*
19 *describing efforts toward providing the following information,*
20 *documents, and services to the minor or nonminor:*

- 21 (1) *Social security card.*
22 (2) *Certified copy of the birth certificate.*
23 (3) *Driver's license, as described in Section 12500 of the Vehicle*
24 *Code, or identification card, as described in Section 13000 of the*
25 *Vehicle Code.*
26 (4) *Assistance in obtaining employment, if applicable.*
27 (5) *Assistance in applying for, or preparing to apply for,*
28 *admission to college or to a vocational training program or other*
29 *educational institution and in obtaining financial aid, where*
30 *applicable.*
31 (6) *Written information notifying the child that a current or*
32 *former dependent child who is or has been in foster care is granted*
33 *a preference for student assistant or internship positions with state*
34 *agencies pursuant to Section 18220 of the Government Code until*
35 *he or she attains 26 years of age.*
36 (7) *Written information notifying the child of any financial*
37 *literacy programs or other available resources provided through*
38 *the county or other community organizations to help the youth*
39 *obtain financial literacy skills, including, but not limited to,*

1 *banking, credit card debt, student loan debt, credit scores, credit*
2 *history, and personal savings.*

3 *(8) A letter prepared by the county welfare department that*
4 *includes the following information:*

5 *(A) The minor's or nonminor's name and date of birth.*

6 *(B) The dates during which the minor or nonminor was within*
7 *the jurisdiction of the juvenile court.*

8 *(C) A statement that the minor or nonminor was a foster youth*
9 *in compliance with state and federal financial aid documentation*
10 *requirements.*

11 *(D) If applicable, the death certificate of the parent or parents.*

12 *(E) If applicable, proof of the minor's or nonminor's citizenship*
13 *or legal residence.*

14 *(F) An advance health care directive form.*

15 *(G) The Judicial Council form that the minor or nonminor would*
16 *use to file a petition pursuant to subdivision (e) of Section 388 to*
17 *resume dependency jurisdiction.*

18 *(9) If applicable, referrals to transitional housing, if available,*
19 *or assistance in securing other housing.*

20 *(10) Assistance in maintaining relationships with individuals*
21 *who are important to a nonminor who has been in out-of-home*
22 *placement for six months or longer from the date the nonminor*
23 *entered foster care, based on the nonminor's best interests.*

24 *(11) The whereabouts of any siblings under the jurisdiction of*
25 *the juvenile court, unless the court determines that sibling contact*
26 *would jeopardize the safety or welfare of either sibling.*

27 *(c) The dependency court shall not terminate jurisdiction over*
28 *a nonminor unless a hearing is conducted pursuant to this section.*
29 *At any hearing at which the court is considering terminating*
30 *jurisdiction over a nonminor, the county welfare department shall*
31 *do all of the following:*

32 *(1) Ensure that the dependent nonminor is present in court,*
33 *unless the nonminor does not wish to appear in court and elects*
34 *a telephonic appearance, or document reasonable efforts made*
35 *by the county welfare department to locate the nonminor when the*
36 *nonminor is not available.*

37 *(2) Submit a report describing whether it is in the nonminor's*
38 *best interests to remain under the court's dependency jurisdiction,*
39 *which includes a recommended transitional independent living*

1 case plan for the nonminor when the report describes continuing
2 dependency jurisdiction as being in the nonminor's best interest.

3 (3) If the county welfare department recommends termination
4 of the court's dependency jurisdiction, submit documentation of
5 the reasonable efforts made by the department to provide the
6 nonminor with the assistance needed to meet or maintain eligibility
7 as a nonminor dependent, as defined in paragraphs (1) to (5),
8 inclusive, of subdivision (b) of Section 11403.

9 (4) If the nonminor has indicated that he or she does not want
10 dependency jurisdiction to continue, the report shall address the
11 manner in which the nonminor was advised of his or her options,
12 including the benefits of remaining in foster care, and of his or
13 her right to reenter foster care and to file a petition pursuant to
14 subdivision (e) of Section 388 to resume dependency jurisdiction
15 prior to attaining 21 years of age.

16 (d) (1) The court shall continue dependency jurisdiction over
17 a nonminor who meets the definition of a nonminor dependent as
18 described in subdivision (v) of Section 11400 unless the court finds
19 either of the following:

20 (A) That the nonminor does not wish to remain subject to
21 dependency jurisdiction.

22 (B) That the nonminor is not participating in a reasonable and
23 appropriate transitional independent living case plan.

24 (2) In making the findings pursuant to paragraph (1), the court
25 must also find that the nonminor has been informed of his or her
26 options including the benefits of remaining in foster care and the
27 right to reenter foster care by filing a petition pursuant to
28 subdivision (e) of Section 388 to resume dependency jurisdiction
29 and by completing a voluntary reentry agreement pursuant to
30 subdivision (z) of Section 11400, and has had an opportunity to
31 confer with his or her counsel if counsel has been appointed
32 pursuant to Section 317.

33 (e) The court may terminate its jurisdiction over a nonminor if
34 the court finds after reasonable and documented efforts the
35 nonminor cannot be located.

36 (f) When terminating dependency jurisdiction the court shall
37 maintain general jurisdiction over the nonminor to allow for the
38 filing of a petition to resume dependency jurisdiction under
39 subdivision (e) of Section 388 until the nonminor attains 21 years
40 of age, although no review proceedings shall be required. A

1 nonminor may petition the court pursuant to subdivision (e) of
2 Section 388 to resume dependency jurisdiction at any time before
3 attaining 21 years of age.

4 (g) The court shall not terminate dependency jurisdiction over
5 a nonminor dependent who has attained 18 years of age until a
6 hearing is conducted pursuant to this section. Jurisdiction shall
7 not be terminated until the department has submitted a report
8 verifying that the information, documents, and services required
9 under subdivisions (a) and (b), as well as the following information,
10 documents, and services, have been provided to the nonminor, or
11 in the case of a nonminor who, after reasonable efforts by the
12 county welfare department, cannot be located, verifying the efforts
13 made to make the following available to the nonminor:

14 (1) Assistance in accessing the Independent Living Aftercare
15 Program in the nonminor's county of residence, and, upon the
16 nonminor's request, assistance in completing a voluntary reentry
17 agreement for care and placement pursuant to subdivision (z) of
18 Section 11400 and in filing a petition pursuant to subdivision (e)
19 of Section 388 to resume dependency jurisdiction.

20 (2) Written information concerning the nonminor's dependency
21 case, including, but not limited to, all of the following:

22 (A) Any known information regarding the nonminor's Indian
23 heritage or tribal connections.

24 (B) If applicable, the nonminor's family history and placement
25 history.

26 (C) Any photographs of the nonminor or his or her family in
27 the possession of the county welfare department, other than
28 forensic photographs.

29 (D) Directions on how to access the documents the nonminor
30 is entitled to inspect under Section 827.

31 (E) The written 90-day transition plan prepared pursuant to
32 Section 16501.1.

33 (F) The date on which the jurisdiction of the juvenile court
34 would be terminated.

35 (3) The health and education summary described in subdivision
36 (a) of Section 16010.

37 (4) The Judicial Council form that the nonminor would use to
38 file a petition pursuant to subdivision (e) of Section 388 to resume
39 dependency jurisdiction.

40 (5) Assistance with the following:

1 (A) Completing an application for Medi-Cal or assistance in
2 obtaining other health insurance.

3 (B) Referrals to transitional housing, if available, or assistance
4 in securing other housing.

5 (C) Obtaining employment or other financial support, if
6 applicable.

7 SEC. 3. If the Commission on State Mandates determines that
8 this act contains costs mandated by the state, reimbursement to
9 local agencies and school districts for those costs shall be made
10 pursuant to Part 7 (commencing with Section 17500) of Division
11 4 of Title 2 of the Government Code.

12 SECTION 1. ~~Section 10609.4 of the Welfare and Institutions~~
13 ~~Code is amended to read:~~

14 ~~10609.4. (a) On or before July 1, 2000, the State Department~~
15 ~~of Social Services, in consultation with county and state~~
16 ~~representatives, foster youth, and advocates, shall do both of the~~
17 ~~following:~~

18 ~~(1) Develop statewide standards for the implementation and~~
19 ~~administration of the Independent Living Program established~~
20 ~~pursuant to the federal Consolidated Omnibus Budget~~
21 ~~Reconciliation Act of 1985 (Public Law 99-272).~~

22 ~~(2) Define the outcomes for the Independent Living Program~~
23 ~~and the characteristics of foster youth enrolled in the program for~~
24 ~~data collection purposes.~~

25 ~~(b) Consistent with federal law and reporting requirements, each~~
26 ~~county department of social services shall submit to the department~~
27 ~~an annual Independent Living Program report, which shall include~~
28 ~~the following:~~

29 ~~(1) An accounting of federal and state funds expended for~~
30 ~~implementation of the program. A county shall spend no more~~
31 ~~than 30 percent of federal Independent Living Program funds on~~
32 ~~housing. Expenditures shall be related to the specific purposes of~~
33 ~~the program. It is the intent of the Legislature that the department,~~
34 ~~in consultation with counties, shall develop a process for reporting~~
35 ~~that satisfies federal law and reporting requirements. Program~~
36 ~~purposes may include, but are not limited to, all of the following:~~

37 ~~(A) Enabling participants to seek a high school diploma or its~~
38 ~~equivalent or to take part in appropriate vocational training, and~~
39 ~~providing job readiness training and placement services, or building~~
40 ~~work experience and marketable skills, or both.~~

1 ~~(B) Providing training in daily living skills, budgeting, locating~~
2 ~~and maintaining housing, and career planning.~~

3 ~~(C) Providing for individual and group counseling.~~

4 ~~(D) Integrating and coordinating services otherwise available~~
5 ~~to participants.~~

6 ~~(E) Providing each participant with a written transitional~~
7 ~~independent living plan that will be based on an assessment of his~~
8 ~~or her needs, that includes information provided by persons who~~
9 ~~have been identified by the participant as important to the~~
10 ~~participant in cases in which the participant has been in~~
11 ~~out-of-home placement for six months or longer from the date the~~
12 ~~participant entered foster care, consistent with the participant's~~
13 ~~best interests, and that will be incorporated into his or her case~~
14 ~~plan.~~

15 ~~(F) Providing participants who are within 90 days of attaining~~
16 ~~18 years of age, or older as the state may elect under Section~~
17 ~~475(8)(B)(iii) of the federal Social Security Act (42 U.S.C. Sec.~~
18 ~~675(8)(B)(iii)), including those former foster care youth receiving~~
19 ~~Independent Living Program Aftercare Services, the opportunity~~
20 ~~to complete the exit transition plan as required by paragraph (16)~~
21 ~~of subdivision (f) of Section 16501.1.~~

22 ~~(G) Providing participants with other services and assistance~~
23 ~~designed to improve independent living.~~

24 ~~(H) Convening persons who have been identified by the~~
25 ~~participant as important to him or her for the purpose of providing~~
26 ~~information to be included in his or her written transitional~~
27 ~~independent living plan.~~

28 ~~(I) Providing financial literacy training, including, but not~~
29 ~~limited to, banking, credit card interest rates, credit scores, the~~
30 ~~importance of savings, and the effects financial decisions can have~~
31 ~~on the participant's future.~~

32 ~~(2) Counties shall ensure timely and accurate data entry into~~
33 ~~the Child Welfare Services/Case Management System (CWS/CMS)~~
34 ~~for all youth receiving services pursuant to this section.~~

35 ~~(3) Counties shall ensure that eligible foster care youth continue~~
36 ~~to receive information about, and are provided with an opportunity~~
37 ~~to complete, the National Youth in Transition Database (NYTD)~~
38 ~~survey, based on an updated process that shall be developed jointly~~
39 ~~by the department, in consultation with counties to ensure~~

1 maximum participation in the survey completion and compliance
2 with federal requirements, as follows:

3 (A) Counties shall provide information to the youth about the
4 NYTD survey within 60 days prior to the date the current or former
5 foster youth is required to be offered the survey.

6 (B) Within 45 days following the youth in foster care turning
7 17 years of age, counties shall ensure that each youth has an
8 opportunity to complete the NYTD survey as required by federal
9 law.

10 (C) Counties shall contact the youth who completed the survey
11 at age 17, in order to request that they complete the followup
12 survey before their 19th and 21st birthdays.

13 (D) Counties shall provide opportunities for current and former
14 eligible foster youth to take the NYTD survey online at child
15 welfare services and probation offices.

16 (e) The county department of social services in a county that
17 provides transitional housing placement services pursuant to
18 paragraph (2) of subdivision (a) of Section 11403.2 shall include
19 in its annual Independent Living Program report a description of
20 currently available transitional housing resources in relation to the
21 number of emancipating pregnant or parenting foster youth in the
22 county, and a plan for meeting any unmet transitional housing
23 needs of the emancipating pregnant or parenting foster youth.

24 (d) In consultation with the department, a county may use
25 different methods and strategies to achieve the standards and
26 outcomes of the Independent Living Program developed pursuant
27 to subdivision (a).

28 (e) In consultation with the County Welfare Directors
29 Association, the California Youth Connection, and other
30 stakeholders, the department shall develop and adopt emergency
31 regulations, no later than July 1, 2012, in accordance with Section
32 11346.1 of the Government Code that counties shall be required
33 to meet when administering the Independent Living Program and
34 that are achievable within existing program resources and any
35 federal funds available for case management and case plan review
36 functions for nonminor dependents, as provided for in the federal
37 Fostering Connections to Success and Increasing Adoptions Act
38 of 2008 (Public Law 110-351). The initial adoption of emergency
39 regulations and one readoption of the initial regulations shall be
40 deemed to be an emergency and necessary for the immediate

1 preservation of the public peace, health and safety, or general
2 welfare. Initial emergency regulations and the first readoption of
3 those regulations shall be exempt from review by the Office of
4 Administrative Law. The initial emergency regulations and the
5 first readoption of those regulations authorized by this subdivision
6 shall be submitted to the Office of Administrative Law for filing
7 with the Secretary of State and each shall remain in effect for no
8 more than 180 days.

9 (f) The department, in consultation with representatives of the
10 Legislature, the County Welfare Directors Association, the Chief
11 Probation Officers of California, the Judicial Council,
12 representatives of tribes, the California Youth Connection, former
13 foster youth, child advocacy organizations, labor organizations,
14 dependency counsel for children, juvenile justice advocacy
15 organizations, foster caregiver organizations, and researchers, shall
16 review and develop modifications needed to the Independent Living
17 Program to also serve the needs of nonminor dependents, as defined
18 in subdivision (v) of Section 11400, eligible for services pursuant
19 to Section 11403. These modifications shall include the exit
20 transition plan required to be completed within the 90-day period
21 immediately prior to the date the nonminor participant attains the
22 age that would qualify the participant for federal financial
23 participation, as described in Section 11403, pursuant to Section
24 675(5)(H) of Title 42 of the United States Code. Notwithstanding
25 the Administrative Procedure Act, Chapter 3.5 (commencing with
26 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
27 Code, through June 30, 2012, the department shall prepare for
28 implementation of the applicable provisions of this section by
29 publishing all-county letters or similar instructions from the director
30 by October 1, 2011, to be effective January 1, 2012.

31 (g) Beginning in the 2011–12 fiscal year and for each fiscal
32 year thereafter, funding and expenditures for programs and
33 activities required under this section shall be in accordance with
34 the requirements provided in Sections 30025 and 30026.5 of the
35 Government Code.